

Kravit Partners, LLC  
Margarita Y. Ginzburg, Esq.  
79 Madison Avenue, 2nd Floor  
New York, New York 10016  
Telephone: 212-252-0550  
[mginzburg@kravit.com](mailto:mginzburg@kravit.com)

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

**Hearing date: November 2, 2020  
@ 10:00 am**

-----X

In re:

MYINT KYAW, a/k/a  
JEFFREY WU,  
Debtor.

Case No: 820-72407-reg

Chapter 11

-----X

**STATEMENT REGARDING THE MOTIONS OF HAYMARKET CAPITAL LLC  
FOR AN ORDER AUTHORIZING RULE 2004 EXAMINATIONS OF  
(I) GTJ REIT AND (II) THE DEBTOR MYINT KYAW**

TO: THE HONORABLE ROBERT E. GROSSMAN,  
UNITED STATES BANKRUPTCY JUDGE:

Xizhu Bai, W & L Group Construction, Inc. and Sanford Avenue Partner LLC  
(the “**Creditors**”), creditors of the debtor, Myint Kyaw, a/k/a Jeffrey Wu (“**Debtor**”), through  
their counsel, Kravit Partners LLC, do hereby submit this statement (the “**Statement**”) in  
connection with the motions filed by Haymarket Capital LLC (“**Haymarket**”) for an Order  
Authorizing Rule 2004 Examinations of (i) GTJ Realty LP (“**GTJ REIT**”) [Dkt. # 89] and (ii)  
the Debtor [Dkt. # 90] (the “**Rule 2004 Motions**”). In support of this Statement, the Creditors  
respectfully state as follows:

1. On July 8, 2020, the Debtor filed a petition for relief under chapter 11 of title 11  
of the United States Code in the United States Bankruptcy Court for the Eastern District of New  
York.

2. To date, the Debtor has failed to file complete and accurate Schedules and Statements of Financial Affairs (the “**Schedules**”). The 341 meeting has been adjourned on several occasions and is currently scheduled for October 29, 2020.

3. The Schedules filed thus far show that the Debtor directly or indirectly as a member of an LLC or other entity, holds an interest in numerous real properties, businesses, and investments. Based on the Debtor’s filings to date, a large portion of his income appears to be from GJT REIT.

4. The Creditors believe a Bankruptcy Rule 2004 examination of the Debtor and GEIT REIT is appropriate and, in an effort to foster efficiency and economy, wish to examine the Debtor and GTJ REIT at the same time as Haymarket. The Creditors reserve their rights to file additional Bankruptcy Rule 2004 motions, as necessary.

5. The Creditors have conversed with counsel for Haymarket and counsel has no objections to the Creditors participating in the Bankruptcy Rule 2004 examinations, sharing the documents produced by the Debtor and GTJ REIT and allowing the Creditors to ask questions at the depositions of the Debtor and GTJ REIT.

6. The Creditors have reached out to counsel for the Debtor to see if there are any objections to the Creditors participating in the Bankruptcy Rule 2004 examinations from the Debtor’s perspective and to agree on a procedure for same. As of the filing of this Statement, the Creditors have not heard back from Debtor’s counsel.

**WHEREFORE,** for the reasons set forth in the Statement, the Creditors respectfully request that if the Rule 2004 Motions are granted, the Creditors be permitted to fully participate in the examinations of GTJ REIT and the Debtor, and such other and further relief as may be appropriate.

Dated: October 26, 2020  
New York, New York

KRAVIT PARTNERS LLC

By: /s/ Margarita Y. Ginzburg

Margarita Y. Ginzburg, Esq.  
79 Madison Avenue, 2nd Floor  
New York, New York 10016  
Tel: 212-252-0550  
mginzburg@kravit.com

*Attorneys for Creditors,  
Xizhu Bai,  
W & L Group Construction, Inc. and  
Sanford Avenue Partner LLC*

**CERTIFICATE OF SERVICE**

I, Margarita Y. Ginzburg, hereby certify that on October 26, 2020, I caused a copy of the foregoing *Statement Regarding the Motions Of Haymarket Capital LLC For Order Authorizing Rule 2004 Examination Of (i) GTJ REIT and (ii) the Debtor* to be served electronically through the Court's ECF System upon the registered participants as identified on the Notice of Electronic Filing.

New York, NY  
October 26, 2020

/s/ Margarita Y. Ginzburg  
Margarita Y. Ginzburg

